UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

SIMMSPARRIS MALDONADO TEHAUNO, LLP,	:	Civil Action No. 10-4395 (FSH)
Plaintiff,	:	
v.	:	
AMY MALDONADO,	:	**REPORT AND RECOMMENDATION**
Defendant.	:	

This matter having come before the Court as a result of its Order, dated April 19, 2011, directing that the parties appear before the Undersigned for a hearing on April 25, 2011;

and the defense counsel having appeared for the hearing;

and the plaintiff having failed to appear for the hearing or otherwise fully comply with the Orders dated April 13, 2011 and April 19, 2011;

and the defendant having requested that the Court dismiss the Complaint, grant the equitable relief that she seeks through her counterclaims, and to award fees;

and for the reasons set forth in the Opinion delivered on the record on April 25, 2011;

and for good cause shown,

IT IS ON THIS 25th day of April, 2011

RECOMMENDED to the United States District Judge that Her Honor: (1) dismiss the Complaint with prejudice; (2) terminate the motion to dismiss the counterclaims and enter default against the plaintiff on the counterclaims; and (3) grant the defendant leave to file a motion for default judgment on her counterclaims, all pursuant to Fed. R. Civ. P. 16 and/or 37.

The parties have fourteen days from the receipt of this recommendation to file and serve

objections to it; and

  IT IS FURTHER ORDERED that the defense counsel shall serve a copy of this

recommendation upon the plaintiff by email and fax and file a certificate of service with the

Clerk of the Court;

  IT IS FURTHER ORDERED that the May 5, 2011 deposition of the plaintiff, the May 6,

2011 deposition of the defendant, and the May 7, 2011 settlement conference are cancelled;

  IT IS FURTHER ORDERED that the defendant's obligation to provide the certifications

required by the April 13, 2011 Order are suspended; and

  IT IS FURTHER ORDERED that if the recommendation is not adopted, then the Court

will set new pretrial deadlines.

             s/Patty Shwartz
             UNITED STATES MAGISTRATE JUDGE